



Livermore Area
Recreation and Park District
An independent special district

LIVERMORE AREA RECREATION AND PARK DISTRICT
REGULAR MEETING of the BOARD OF DIRECTORS
DRAFT MINUTES

WEDNESDAY, OCTOBER 13, 2021

2:00 P.M.

NOTICE: Coronavirus COVID-19

In accordance with the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), as amended by Assembly Bill 361 (2021), members of the Livermore Area Recreation and Park District Board of Directors and staff participated in this meeting via teleconference (Zoom). In the interest of maintaining appropriate social distancing, members of the public also participated in this meeting electronically.

DIRECTORS PRESENT: Directors James Boswell, David Furst,
Vice Chair Maryalice Faltings, and Chair Philip Pierpont

DIRECTORS ABSENT: Director Jan Palajac

STAFF MEMBERS PRESENT: Mathew Fuzie, Allie Ikeda, Fred Haldeman,
Jeffrey Schneider, Jill Kirk, David Weisgerber, Jessie
Masingale, Julie Dreher, Linda VanBuskirk, Megan
Shannon, Michelle Newbould, Robert Sanchez,
Vicki Wiedenfeld

GENERAL COUNSEL: Rod Attebery, Allison Felkins with Neumiller & Beardslee

OTHERS PRESENT: Julie La Blanc

1. CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE:

Chair Pierpont called the meeting to order at 2:01 p.m. All Directors were present via Zoom, except Director Palajac. Chair Pierpont led the Pledge of Allegiance.

2. PUBLIC COMMENT: None.

3. CONSENT ITEMS:

- 3.1 Approval of the Minutes of the Regular Board Meeting of September 29, 2021.
- 3.2 General Manager's Update to the Board of Directors on Issues and Projects – October 2021

MOTION:

Moved by Director Furst, seconded by Director Faltings, approved the Consent Agenda by the following roll call vote:

AYES: *Directors Faltings, Furst, Boswell, and Chair Pierpont*
NOES: *None*
ABSTENTIONS: *None*
ABSENT: *Director Palajac*

4. DISCUSSION AND ACTION ITEMS:

4.1 DISCUSSION AND POSSIBLE ACTION REGARDING TELECONFERENCE PURSUANT TO AB 361 DURING A PROCLAIMED STATE OF EMERGENCY

District General Counsel Rod Attebery reported that Assembly Bill 361 is an amendment to the Brown Act and became effective as of October 2, 2021. It allows people to continue under the Executive Orders for telephonic and videoconference meetings while operating under a state of emergency and social distancing recommendations. AB 361 also pertains to other states of emergency that are unknown at this time, such as fire, flood, pandemic, etc. A resolution must be passed/renewed every 30 days in order to hold teleconference meetings.

Recommendation: General Counsel (along with CSDA and the CDC) recommends that, because circumstances are still unknown, the Board adopt a resolution to protect an opportunity to meet telephonically under AB 361 should the Board need to. This will also allow for hybrid meetings, where some may attend in person, while others may attend telephonically.

Chair Pierpont opened public comment. No public comments were received. Public comment was closed.

RESOLUTION:

Moved by Director Boswell, seconded by Director Furst, approved Resolution No. 2723 determining to conduct meetings of the LARPD Board of Directors using teleconferencing pursuant to Government Code 54953, as amended by AB 361, for the period October 13, 2021 to November 12, 2021, by the following roll call vote:

AYES: *Directors Boswell, Faltings, Furst, and Chair Pierpont*
NOES: *None*
ABSTENTIONS: *None*
ABSENT: *Director Palajac*

4.2 DISCUSSION AND POSSIBLE ACTION REGARDING RESTATED AND AMENDED GENERAL MANAGER EMPLOYMENT AGREEMENT

District General Counsel Rod Attebery reported that the Board has been working on negotiations for an amended and restated employment contract between the District

and General Manager Fuzie. GM Fuzie has reviewed and accepted the agreement which included the terms the Board had directed Mr. Attebery to negotiate with Mr. Fuzie. Mr. Attebery apologized for not immediately informing all board members once negotiations were completed prior to the weekend until Monday afternoon. Mr. Attebery had not received any Board comments after distribution of the accepted agreement.

Chair Pierpont opened public comment. No public comments were received. Public comment was closed.

Director Furst moved to approve Resolution No. 2724 approving the General Manager's Amended Contract. Without a second, the motion failed.

Board discussed ensued regarding clarification on quantifiable, measurable, and well-stated Goals and Objectives that both the Board and General Manager can agree upon. District Counsel Attebery and Felkins have drafted the contract to allow the Board to amend, review, revise and work on Goals and Objectives. They are listed in the contract as "proposed". Chair Pierpont announced an ad hoc committee will be formed to take up this matter to append to the GM contract.

RESOLUTION:

Moved by Director Boswell, seconded by Director Furst, approved Resolution No. 2724 approving the Restated and Amended Employment Agreement between LARPD and the General Manager, by the following roll call vote:

AYES: *Directors Faltings, Furst, Boswell, and Chair Pierpont*
NOES: *None*
ABSTENTIONS: *None*
ABSENT: *Director Palajac*

5. INFORMATIONAL ITEMS (No Action Required)

5.1 GENERAL FINANCIAL UPDATE

GM Fuzie reported that over the last two weeks the filing period has been open for the \$100 million set aside for special districts for COVID-19 relief. LARPD has submitted approximately \$5.7 million in revenue losses and direct costs related to COVID-19. Results regarding relief funds are anticipated sometime around January 2022. BSM Schneider added that financial schedules through September will be reviewed with the Finance Committee and then forwarded to the full Board.

The Board of Directors had no comments or questions.
This was information only and no Board action was taken.

5.2 COVID-19 PROGRAM UPDATES

GM Fuzie reported that once the COVID-19 vaccine is approved for children ages 5-11 years old, LARPD will participate, along with the Livermore Valley Joint Unified School District, in holding vaccination clinics for that age group, and for booster shots. LARPD Programs have not altered in any way since the last Board meeting. We continue to watch the mask mandates.

GM Fuzie announced that The Independent will publish an article on recent efforts by LARPD, through its Senior Services department, to resolve a problem for a concerned senior related to the fact that he did not receive a stimulus check from California's Golden State Stimulus program. Community Outreach Supervisor David Weisgerber reported that his staff facilitated efforts to assist the gentleman with filing a tax return with help from the American Association of Retired Persons (AARP), which was a requirement for receipt of the stimulus check.

The Board of Directors had no comments or questions.
This was information only and no Board action was taken.

6. COMMITTEE REPORTS:

- a) Director Faltings reported her attendance at the October 7, 2021 Facilities Committee meeting.
- b) Director Faltings reported her attendance at the October 4, 2021 LARPD Foundation meeting.
- c) Director Furst reported his attendance at the October 12, 2021 Personnel Committee meeting.
- d) Director Furst reported his attendance at the October 6, 2021 Chamber of Commerce Business Alliance meeting.
- e) Director Furst reported his attendance at the October 6, 2021 Livermore Cultural Arts Council meeting.

7. DIRECTORS' ANNOUNCEMENTS:

- a) Director Boswell asked for a copy of the District's Grazing Plan.
- b) Director Boswell reported that he was in contact with Cal Fire. The forester for the state is willing to assist LARPD in helping develop and/or modify the existing Fire Management Plan. A grant program offering \$134 million in outstanding grants will potentially be available as soon as November. Director Boswell also contacted the Fire Captain at Las Positas College. They are also willing to help LARPD with its Fire Management Plan.
- c) Director Boswell would like to see an offsite Board Retreat scheduled so the Board may discuss a Strategic Plan to give the District a framework to work within that allows the General Manager work on goals and objectives tied together with the long-term direction of the District.
- d) Director Boswell announced that he has had a number of people approach him regarding the timeframe when issues come up. He suggested they attend the LARPD Board meetings to express their concerns. Many have stated that because they work during the daytime, the District's Board meetings held at 2:00 p.m. are not convenient for them to attend, and they have asked when the District will return to its original 7:00 p.m. time to hold Board meetings.
- e) Director Furst would like to place the topic of returning to a 7:00 p.m. start time for Board meetings on an upcoming Board agenda for discussion. Chair Pierpont is not opposed to this idea.
- f) Director Faltings would like to ensure that the background image of Ravenswood on the Zoom call displays properly (not backwards).

8. ANNOUNCEMENTS BY THE GENERAL MANAGER:

GM Fuzie had no further announcements.

On behalf of LARPD Staff, BSM Schneider expressed appreciation to the Board for its extension of the General Manager's Employment Agreement.

9. ADJOURNMENT: The meeting was adjourned at 2:50 p.m.

APPROVED,

Philip Pierpont
Chair, Board of Directors

ATTEST:

Mathew L. Fuzie
General Manager and
Ex-officio Clerk to the Board of Directors

/lvb